United Nations A/C.1/57/PV.20

General Assembly
Fifty-seventh session

Official Records

First Committee
20th meeting
Wednesday, 23 October 2002, 3 p.m.
New York

Chairman: Mr. Kiwanuka ..... (Uganda)

The meeting was called to order at 3.10 p.m.

Agenda items 57, 58 and 60 to 73 (*continued*)

Action on all draft resolutions submitted under all disarmament and international security agenda items

The Chairman: This afternoon, the Committee, in accordance with its programme of work and timetable, will continue with the third phase of its work. The Committee will continue to take action on those draft resolutions that appear in informal working paper No. 4, which was circulated to the Committee during this morning's meeting.

The Committee will now proceed to take action on draft resolution A/C.1/57/L.45.

I give the floor to the Secretary of the Committee.

Mr. Sattar (Secretary of the Committee): The Committee will now take a decision on draft resolution A/C.1/57/L.45, entitled "Consolidation of peace through practical disarmament measures", which was introduced by the representative of Germany at the Committee's 16th meeting, on 18 October 2002. The sponsors are listed in document A/C.1/57/L.45 and in document A/C.1/57/INF/2. In addition, El Salvador and Mongolia have become sponsors of the draft resolution.

The Chairman: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.45 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.31.

I call on the Secretary of the Committee.

Mr. Sattar (Secretary of the Committee): The Committee will now take a decision on draft resolution A/C.1/57/L.31, entitled "Strengthening of security and cooperation in the Mediterranean region", which was introduced by the representative of Algeria at the Committee's 16th meeting, on 18 October 2002. The sponsors are listed in document A/C.1/57/L.31 and in document A/C.1/57/INF/2. In addition, Albania and Georgia have become sponsors of the draft resolution.

The Chairman: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.31 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.47/Rev.1.

I call on the Secretary of the Committee.

Mr. Sattar (Secretary of the Committee): The Committee will now take a decision on draft resolution

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

02-65657 (E)

A/C.1/57/L.47/Rev.1, entitled "Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe", which was introduced by the representative of the former Yugoslav Republic of Macedonia at the Committee's 16th meeting, on 18 October 2002. The sponsors are listed in document A/C.1/57/L.47/Rev.1 and in document A/C.1/57/INF/2.

The Chairman: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.47/Rev.1 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.23/Rev.1. I now call on those delegations wishing to explain their vote or position on the draft resolution before a decision is taken.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): The Committee has before it a new draft resolution that praises the outcome of the negotiations between two nuclear-weapon States culminating in the signing of the Treaty on Strategic Offensive Reductions (Moscow Treaty) on 24 May 2002, which essentially included both countries' commitment to move forward towards the strategic reduction of nuclear weapons.

Cuba firmly supports the idea that all States must cooperate in advancing negotiations designed to achieve nuclear disarmament in all its aspects, under strict and effective international control. In that regard, we followed with interest the negotiations resulting in the signing of the Moscow Treaty. As the attainment of total nuclear disarmament is a priority with regard to international disarmament and security, we have considered as positive any step or action designed to facilitate or contribute to the elimination of nuclear weapons. Therefore, Cuba resolutely supported preserving and respecting the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty), signed on 26 May 1972 — an agreement that undoubtedly played a central role in maintaining global strategic parity and that was one of the guarantees for world peace and security at the time.

Cuba is seriously concerned that a return to the tendency of strengthening strategic anti-missile defences could have an adverse impact on nuclear disarmament and non-proliferation and could lead to a new arms race.

The Moscow Treaty sets out bilateral commitments for reducing deployment capacity and for a modification of the operational status of nuclear weapons in the two countries concerned. However, these negotiations must in no way take the place of multilateral negotiations among the five nuclear-weapon States leading to an irreversible and definitive reduction in nuclear weapons.

The multilateral negotiations are in deadlock. There are no indications that the nuclear-weapon States are in fact prepared to resume negotiations on definitive nuclear disarmament agreements. On the contrary, it is worrisome that, more and more frequently, a growing role is being assigned to nuclear weapons within security strategies, including the development of new kinds of nuclear weapons and arguments in favour of their use.

The revision of paragraph 5 of the draft resolution contributed to making it acceptable to Cuba and, we believe, to other delegations. Cuba will support draft resolution A/C.1/57/L.23/Rev.1 on the understanding that only on the basis of multilateral negotiations and the implementation of measures for complete nuclear disarmament will we truly be able to eliminate the nuclear threat that is still looming over humankind.

Mr. Syed Hasrin (Malaysia): My delegation is taking the floor to explain our position on draft resolution A/C.1/57/L.23/Rev.1. My delegation fully appreciates the efforts made by Member States in cooperating to promote security, economic well-being and peace and prosperity in the world, in accordance with their responsibilities and obligations under the Charter and the principles of international law. We believe that such efforts are consistent with the resolve expressed by our heads of State or Government at the Millennium Summit to strive for the elimination of weapons of mass destruction, in particular nuclear weapons.

As a State party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), Malaysia has in the past welcomed — and we will continue to welcome — endeavours made, especially by nuclear-weapon States, to fulfil their obligations under article

VI of the Treaty. It was in that spirit that we decided to join the consensus and support the draft resolution. But while we acknowledge the step taken by the sponsors in signing the Moscow Treaty to limit, by 31 December 2012, the number of strategic nuclear warheads to a level that does not exceed between 1,700 and 2,200, the Treaty does not incorporate the principle of irreversibility. My delegation firmly believes that the sponsors' incorporation of that important principle into the Moscow Treaty, complemented by effective verification and transparency, would certainly contribute to advancing their commitment to the implementation of article VI of the NPT. In that regard, we look forward to the further strengthening of the Moscow Treaty.

Mr. Dowling (Ireland): I would like to make a statement with regard to draft resolution A/C.1/57/L.23/Rev.1, as well as a brief general statement with regard to the reissuing of another draft resolution.

I am taking the floor on behalf of the countries of the New Agenda Coalition — Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden — in connection with draft resolution A/C.1/57/L.23/Rev.1, entitled "Bilateral strategic nuclear arms reductions and the new strategic framework".

The New Agenda Coalition supports that draft resolution, consistent with the view expressed in the draft resolution contained in A/C.1/57/L.3/Rev.1, that the Treaty on Strategic Offensive Reductions is a positive step in the process of nuclear de-escalation between the United States and the Russian Federation. In that connection, we will follow with interest the prospect of the United States and the Russian Federation continuing to work closely to ensure the security of weapons of mass destruction and missile technologies, information, expertise and material.

Within that context, however, we want to stress very clearly that reductions in deployment and in operational status cannot be a substitute for irreversible cuts in, and the total elimination of, nuclear weapons. The Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) lays out a blueprint for a process leading to disarmament, and the encouragement we gain from an improved relationship between the possessors of the two largest nuclear arsenals in the world leads us to believe and expect that real and urgent progress in achieving those commitments can be made.

With your permission, Mr. Chairman, I would like to say that Ireland welcomes the recirculation of draft resolution A/C.1/57/L.2/Rev.1. I would like simply to draw attention to the fact that the document now fully reflects the text as submitted to the Secretariat. It contains a number of substantive amendments that reflect what we have heard from other delegations; it will be placed before the Committee for action in due course.

Mr. Umer (Pakistan): I am taking the floor to explain my delegation's position before a decision is taken on draft resolution A/C.1/57/L.23/Rev.1, entitled "Bilateral strategic nuclear arms reductions and the new strategic framework".

Pakistan would be very happy to join the consensus on this draft resolution. We, like others, welcomed the conclusion of the Moscow Treaty, which, in our estimation, constitutes a salutary first step in the direction of reducing the immediate threat posed by deployed nuclear weapons. We also support the objective of the draft resolution: that the Treaty provide an opportunity to operationalize the joint determination of the two sponsors to work together, and with other nations and international organizations, to promote peace and economic well-being throughout the world.

These are reassuring words, particularly for those who seek security and progress within the multilateral framework. Equally, the building of a new strategic relationship between the United States and the Russian Federation, proclaimed in the fourth preambular paragraph of the draft resolution, should elicit the support of the entire international community. The substitution of strategic cooperation for strategic confrontation between the two most militarily significant nations is clearly a matter of gratification for everyone.

I would like, however, to add one note of caution. The continued presence of large inventories of nuclear warheads will continue to pose a serious threat to international peace and security. As we indicated in a statement in a plenary meeting of the General Assembly, real threat reduction requires the destruction of nuclear weapons, which should now take place, to be followed by their universal and complete elimination. It needs no reiteration that States in possession of the largest stockpiles of these deadly

weapons carry the primary and inescapable responsibility of safeguarding the human race from their fearsome destructive potential.

We would also like to emphasize that a mere change in the deployment status of nuclear warheads would not materially contribute towards the agreed goal of complete and general disarmament, unless the nuclear-weapon States forswear the use and the possession of nuclear weapons under international control. Only then could the commitment in article 6 of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) be considered to have been redeemed. Negotiations should, therefore, commence at the earliest on nuclear disarmament in the Conference on Disarmament, when it meets next year.

The spirit of this draft resolution would seem to be upheld, if not validated, our by signalling our readiness to expeditiously open negotiations in Geneva. It remains our hope that the principle protagonists of the text will contribute earnestly towards the realization of the shared historical objective and help galvanize global efforts to terminate the threat emanating from the singularly hideous instrument of mass destruction.

The Chairman: If no delegation wishes to explain its position or vote before the vote, I shall give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on draft resolution A/C.1/57/L.23/Rev.1, entitled "Bilateral strategic nuclear arms negotiations and the new strategic framework". The draft resolution was introduced by the representative of the United States of America at the 11th meeting on 14 October 2002. Sponsors of the draft resolution are listed in document A/C.1/57/L.23/Rev.1.

The Chairman: The sponsors of the draft resolution have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/57/L.23/Rev.1 was adopted.

The Chairman: I call on the representative of China to speak in explanation of the vote after the vote.

Mr. Hu Xiaodi (China) (*spoke in Chinese*): The Chinese delegation voted in favour of draft resolution A/C.1/57/L.23, entitled "Bilateral strategic nuclear arms reductions and the new strategic framework", only because we agreed to appreciate the treaty and documents on the reduction of nuclear weapons reached between the Russian Federation and the United States.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.32. I call on the Russian Federation to explain its position before the vote.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): Russia has consistently supported the draft resolution on missiles. We have done so because the goals and the purposes set forth in this draft resolution are aimed at addressing issues related to limitation and deterrence of missile proliferation. That corresponds to the Russian approach to resolving this issue, namely through predominantly political and diplomatic methods.

Russia has been actively involved in the work of the Panel of Governmental Experts that was created in keeping with the draft resolution in order to provide assistance in the preparation of the draft report of the Secretary-General on missiles. In general, it views positively the work of that Panel and its results. It is important to note that the United Nations has acquired its first experience in considering substantively the issues relating to missile non-proliferation. For example, during that work, we again drew attention to the Russian proposal to create a global system to monitor the non-proliferation of missiles and missile technology. In calling for the creation of such a regime, which would be based on legally binding agreements, we introduced to the Panel of Governmental Experts a draft of such a document, a memorandum on intent in the area of missile non-proliferation. That document contains specific proposals regarding further steps towards drafting a treaty on a global missile non-proliferation regime, preferably under the auspices of the United Nations, in the Conference on Disarmament. Of course, where, within the Working Group of Experts, countries spoke on their respective national positions, it was impossible to reach a consensus on all issues. Therefore, we believe that it is advisable to continue within the framework of the United Nations the work that was begun within the Panel of Governmental Experts on Missiles.

Russia also believes that it is fundamentally important to have the participation of all States interested on an equal footing and on a non-discriminatory basis for the development of a new agreement on non-proliferation of missiles and missile technology. That is the underlying principle of the joint work on those issues under the auspices of the United Nations. At the same time, there should not be infringement on the lawful right of all States to make peaceful use of outer space and to have access to the benefits of socio-economic development that it provides.

Russia will support the draft resolution on missiles.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.32.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): Draft resolution A/C.1/57/L.32, submitted under agenda item 66 on general and complete disarmament, is entitled "Missiles". The draft resolution was introduced by the representative of the Islamic Republic of Iran at the 16th meeting on 18 October 2002. The sponsors of the draft resolution are listed in document A/C.1/57/L.32, as well as in document A/C.1/57/INF/2. In addition, the following country has become a sponsor of the draft resolution: Indonesia.

Before proceeding to take action on draft resolution A/C.1/57/L.32, "Missiles", I wish to put on record the following statement on financial implications on behalf of the Secretary-General.

By operative paragraph 3 of draft resolution A/C.1/57/L.32, the General Assembly would request the Secretary-General, with the assistance of a panel of governmental experts, to fully explore the issue of missiles in all its aspects and prepare a report for consideration by the General Assembly at its fifty-ninth session. It is anticipated that the activities called for in operative paragraph 3 of the draft resolution will take place in 2004.

Under that assumption, provision would have to be made under section II, entitled "General Assembly Affairs and Conference Management", and section IV, entitled "Disarmament", of the proposed programme budget for 2004-2005, to allow the Department for Disarmament Affairs to provide conference servicing and the substantive services necessary for the holding of the proposed Panel of Governmental Experts, to be held in New York, and for the preparation of the report to be submitted to the General Assembly at its fifty-ninth session.

In that connection, it is recalled that, pursuant to General Assembly resolution 55/33 A, similar provisions were included in the programme budget for the biennium 2002-2003, to cover the costs of the two sessions of the Panel of Governmental Experts on Missiles that were held in 2002, as well as costs related to the preparation of a report for consideration by the General Assembly at its fifty-seventh session.

Therefore, bearing in mind the assumption that the request contained in operative paragraph 3 would take effect in 2004, should the Assembly adopt draft resolution A/C.1/57/L.32, the related requirements would be included under section II, entitled "General Assembly Affairs and Conference Management", and section IV, entitled "Disarmament", of the proposed programme budget for the biennium 2004-2005.

The Committee will now proceed to take action on draft resolution A/C.1/57/L.32.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand,

Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen

Against:

Israel, United States of America

Abstaining:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay, Yugoslavia

Draft resolution A/C.1/57/L.32 was adopted by 90 votes to 2, with 57 abstentions.

[Subsequently, the delegation of Malawi informed the Secretariat that it had intended to vote in favour.]

The Chairman: I shall now call on those representatives who wish to explain their votes after the vote on the draft resolution on missiles.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): Cuba has once again this year voted in favour of the draft resolution on missiles (A/C.1/57/L.32). We believe this draft resolution marks a major step forward in the General Assembly towards the goal of broad-ranging, transparent, non-discriminatory and balanced consideration of the issue of missiles. We would like to emphasize that it is up to the United Nations to play the central role in dealing with this important issue.

The report produced by the Panel of Experts (A/57/229), which is referred to in operative paragraph 1 of the draft resolution, has clear limitations. Cuba will refer to those limitations in detail when it submits its views to the Secretary-General, in accordance with operative paragraph 2 of the draft resolution just adopted.

We also feel that the essential merit of both the work done by the Panel of Experts and its report lies in the fact that this represents the first serious effort by the United Nations to deal with the issue of missiles in all its aspects. We hope that a second panel of experts will be able to submit to the General Assembly specific recommendations on possible ways of dealing with this issue.

We would also like to take this opportunity to underscore the importance of ensuring that the composition of the second panel of experts reflects the principle of equitable geographic distribution.

Mr. Nielsen (Denmark): On behalf of the European Union, I have the honour to speak on the draft resolution just adopted, entitled "Missiles" (A/C.1/57/L.32).

The countries of Central and Eastern Europe associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries of Cyprus, Malta and Turkey, as well as the European Free Trade Association countries of the European Economic Area, Iceland and Norway, align themselves with this explanation of vote.

As was the case last year, the European Union has this year decided to abstain on the draft resolution on missiles. Let me underline that our abstention must not be regarded as a lack of commitment to issue at stake here. The European Union remains deeply concerned about the proliferation of ballistic missiles that can carry weapons of mass destruction. Member States of the European Union have therefore played an active role in the Panel of Experts constituted by last year's resolution.

The European Union fully recognizes the role and responsibility of the United Nations in the field of international peace and security. The Union has therefore actively pursued the finalization of the international code of conduct against ballistic missile proliferation through a multilateral, open and transparent process of negotiation and consultation. The European Union is aware that the code is not the only missile initiative around. The Union would welcome increased United Nations involvement in the missile issue. We therefore welcome the conclusion of the United Nations Panel of Governmental Experts on Missiles that "It is essential to have continued

international efforts to deal with the issue of missiles" (*A/57/229, para. 79*).

The European Union remains deeply convinced that the final text of the code of conduct constitutes the most concrete initiative in the fight against the proliferation of ballistic missiles and that it offers the best chances of leading to tangible results in the short-term. That includes the right of every State to reap the benefits of the peaceful use of outer space.

The European Union therefore reiterates that the draft resolution does not reflect the central issue of the proliferation of ballistic missiles and the technologies linked with them. Moreover, the text does not sufficiently refer to the multilateral and concrete initiative that is under way through the code of conduct, which aims at combating the issue of ballistic missile proliferation. The European Union regrets that this initiative has not been reflected in the draft resolution.

However, the European Union is not convinced that having another panel of governmental experts assist in the preparation of a report on the issue of missiles in all its aspects is an efficient next step. The current report does not include any substantial recommendations on the subject that would justify a follow-up in the framework of a panel. Furthermore, we want to underline that any future panel would only be meaningful on the basis of an agreed specific mandate that ensured that added value could be offered. Alternative options should have been considered.

Those are the reasons why the European Union was, unfortunately, not in a position to support the draft resolution.

A first step towards curbing the spread of ballistic missile proliferation has been taken with the launching of the Code of Conduct. The European Union therefore urges all States to adhere to the Code by subscribing at the launching conference in The Hague on 25 and 26 November 2002. Participation allows for influence in the further development of the Code. Once adopted, the International Code of Conduct could be of interest to the United Nations. We encourage all States to join this effort, which is aimed at addressing an issue that is regarded in the view of the Panel, as a serious concern for international peace and security in the world today.

Mr. Lew Kwang-chul (Republic of Korea): My delegation abstained in the vote on draft resolution A/C.1/57/L.32, entitled "Missiles", because we are not convinced of the merits of continuing further deliberation on missile issues through the establishment of a United Nations panel. Although the report of the United Nations Panel of Governmental Experts on Missiles contains some useful elements concerning missile-related issues, it has failed to agree on specific recommendations due to the divergence of views on missile issues. This draft resolution reiterates the previous request for the establishment of a further United Nations panel with a vague and unfocused mandate. Given previous experience, it would be unrealistic to expect another panel to produce tangible and specific recommendations.

Ms. Inoguchi (Japan): I have asked for the floor to explain my Government's position on the draft resolution just adopted, entitled "Missiles", contained in document A/C.1/57/L.32.

The proliferation of missiles as delivery vehicles of weapons of mass destruction is a matter of concern to Japan. We believe it poses a threat to the peace and stability both globally and regionally. For that reason, Japan has been making efforts to ensure the non-proliferation of missiles and the reduction of the threat posed by them. We also contributed to the discussion of the United Nations Panel of Governmental Experts on Missiles, established by the Secretary-General. However, Japan has abstained in the vote on draft resolution A/C.1/57/L.32 because it has no explicit reference to the concern about missile proliferation as delivery vehicles of weapons of mass destruction or to the recognition of the efforts being made, in which my country participates.

Regardless of the vote, we remain committed to the goal of non-proliferation of such missiles, as well as to promoting international and regional peace and stability through various means.

Mr. McGinnis (United States of America): Draft resolution A/C.1/57/L.32, entitled "Missiles", raises a number of concerns for the United States about the draft's overall direction and political intent. We believe that the results of the previous panel clearly show that there is insufficient consensus within the international community on the issues posed by missiles and their potential solutions to justify further study by the United Nations for the foreseeable future. Until such

time that it is clear that a substantive and durable consensus exists on those questions, the United Nations should use the precious time and money that would be required under that resolution in other, more promising, areas. We also are concerned that the net effect of the draft resolution could be to divert attention and resources away from successful ongoing missile non-proliferation efforts.

The United States takes the danger of missile proliferation very seriously. We have actively participated in many international efforts to curb the spread of missiles and related equipment and technology. We plan to continue to strengthen and reinforce that work. We encourage all concerned Member States to cooperate in the common cause. Past efforts in this field often proved highly effective when they were conducted on a regional basis and included the active participation of those States that were directly interested and affected. This basic strategy, along with other cooperative efforts that seek to prevent the proliferation of missiles and missile technology, seem to us far more likely to be productive than the broad and rather vague approach embodied in the draft resolution.

For all those reasons, the United States has voted "no" this year on the draft resolution entitled "Missiles".

Mr. Shaw (Australia): My delegation is taking the floor to provide an explanation of vote on draft resolution A/C.1/57/L.32, entitled "Missiles". Australia believes that issues related to missiles raise serious concerns for international peace and security. The proliferation of ballistic missiles, the prime delivery vehicle for weapons of mass destruction, can have a particularly destabilizing impact on regional and global security. Those issues demand appropriate attention and a concerted response from the international community, including through the United Nations.

Australia is a strong and active supporter of ballistic missile non-proliferation efforts. We welcome the constructive contribution made in that regard by the Panel of Governmental Experts, which included an Australian expert. Regrettably, however, we continue to have a number of substantive difficulties with the draft resolution entitled "Missiles", notably its failure to highlight the importance of ballistic missile proliferation to international security. We, therefore, again abstained in the vote on this draft resolution. Moreover, Australia questions the utility of the proposal to convene a further panel of governmental experts to explore the issue of missiles in all its aspects.

The report of the current Panel does not, in our view, provide a sufficient basis in the form of specific follow-up recommendations for further work capable of meaningfully advancing consideration of this issue. It is also regrettable that the resolution makes no mention of the International Code of Conduct Against Ballistic Missile Proliferation, to be formally launched in The Hague on 25 and 26 November 2002. The International Code of Conduct represents a significant and concrete step in international efforts to curb the spread of ballistic missiles. Australia remains committed to doing what it can in support of constructive international efforts to address missile-related security concerns.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.42.

I give the floor to the representative of Ireland, who wishes to make a statement in explanation of vote before the voting.

Mr. Dowling (Ireland): I take the floor on behalf of the countries of the New Agenda Coalition — Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden — to refer to draft resolution A/C.1/57/L.42, entitled "A path to the total elimination of nuclear weapons".

One of the most significant outcomes of the 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was the unequivocal undertaking given by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, to which all parties to the NPT are committed under article VI.

Unfortunately, draft resolution A/C.1/57/L.42 retains, in our view, a misinterpretation of that outcome. First, by placing the unequivocal undertaking of the nuclear-weapon States in operative paragraph 3, subparagraph (e), the draft resolution suggests that this undertaking is a step which remains to be taken.

Secondly, the placement of the unequivocal undertaking in operative paragraph 3 also creates a

contextual linkage with general and complete disarmament which we cannot accept.

We appreciate that the sponsors of this draft resolution are committed to nuclear disarmament. We do not question that commitment. We consulted on this draft resolution and would have been able to accept a return to the language adopted in the resolution of 2000, as the eighth preambular paragraph of that resolution correctly reflects the 2000 NPT Review Conference outcome.

As this language was not used, the members of the New Agenda Coalition will abstain in the voting on this draft resolution.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.42.

A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/57/L.42, submitted under agenda item 66, "General and complete disarmament", entitled "A path to the total elimination of nuclear weapons". This draft resolution was introduced by the representative of Japan at the 11th meeting, on 14 October 2002. The sponsors of the draft resolution are listed in document A/C.1/57/L.42, as well as in document A/C.1/57/INF/2. In addition, Papua New Guinea and Nicaragua have also become sponsors of the draft resolution.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, Nicaragua, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sudan, Swaziland, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe

Against:

India, United States of America

Abstaining:

Brazil, China, Cuba, Egypt, Ireland, Israel, Mauritius, Mexico, Myanmar, New Zealand, Pakistan, South Africa, Sweden

Draft resolution A/C.1/57/L.42 was adopted by 136 votes to 2, with 13 abstentions.

[Subsequently, the delegation of Malawi informed the Secretariat that it had intended to vote in favour.]

The Chairman: I shall now give the floor to those representatives wishing to make statements in explanation of vote on the draft resolution just adopted.

Mr. Hu Xiaodi (China) (*spoke in Chinese*): The Chinese delegation supports the total elimination of nuclear weapons, which is the thrust of draft resolution A/C.1/57/L.42.

However, there are still some deficiencies in this draft resolution. For example, it makes no mention of the basic principle that the countries with the largest nuclear arsenals bear special responsibility for nuclear disarmament. It also fails to recognize that nuclear disarmament measures can be pursued only on the basis of the principle of the maintenance of global

strategic stability and of undiminished security for all countries, and that such measures should be conducive to international peace and security.

The draft resolution also fails to call for the abandonment of nuclear-deterrence doctrines characterized by the first use of nuclear weapons and a strategy of pre-emptive nuclear strike. It is also necessary to note that some of the specific measures contained in the draft are premature.

For these reasons, the Chinese delegation abstained in the voting on draft resolution A/C.1/57/L.42.

Mr. Müller (Austria): I should like first to thank the delegation of Japan for the elaboration and presentation of the draft resolution entitled "A path to the total elimination of nuclear weapons". We appreciate the spirit of cooperation Japan has demonstrated throughout the consultations on this resolution.

Austria voted in favour of the resolution, as it contains many elements to which my delegation fully subscribes. Austria fully shares Japan's commitment to the cause of nuclear disarmament and non-proliferation, and in particular to the full implementation by all States parties of their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

In this respect, we attach particular importance to the Final Document of the 2000 NPT Review Conference and the practical steps for the systematic and progressive efforts to implement article VI of the NPT and paragraphs 3 and 4 (c) of the 1995 Decision on principles and objectives for nuclear non-proliferation and disarmament agreed to in the Final Document.

Against this background, we regret to say that in the present resolution, operative paragraph 11 on the International Atomic Energy Agency (IAEA) safeguards system and on the additional protocols falls short of our expectations.

There is no doubt that, among the many measures that need to be taken in order adequately to address the threat of nuclear terrorism and to detect undeclared nuclear activities has to be the strengthening of the verification capabilities of the International Atomic Energy Agency by means of strengthening its safeguards system. Hence the conclusion of additional protocols and the swift implementation of the integrated safeguards system are key elements for enhancing nuclear non-proliferation.

Unfortunately, the language in operative paragraph 11 does not, in our view, reflect the importance and urgency of the measures which have to be taken both by the IAEA and its member States in order to accelerate the build-up and full implementation of the Agency's integrated safeguards system.

We hope that next year's draft resolution on this subject will take these concerns into due consideration.

Mr. Heinsburg (Germany): Germany fully shares Japan's commitment to the cause of nuclear disarmament and non-proliferation, and in particular to the full implementation by all States parties of their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The NPT remains the cornerstone of the nuclear non-proliferation regime and the essential foundation of nuclear disarmament.

We attach particular importance to the Final Document of the 2000 Review Conference of the Parties to the NPT. Its adoption by consensus was an important step for the NPT and for the nuclear non-proliferation regime as a whole. It is important that the practical steps included in the Final Document be progressively and fully implemented, as they chart the way to nuclear disarmament.

The draft resolution might leave room for possible misinterpretations, as it does not reflect the practical steps for systematic and progressive efforts to implement article VI of the NPT, as agreed at the 2000 NPT Review Conference, in their entirety. This concern, which we raised last year, remains, unfortunately, valid this year as well. Knowing the sponsors' unequivocal and unwavering commitment to the cause of nuclear disarmament and non-proliferation, which we fully share, Germany voted in favour of the draft resolution. However, having done so, we would like to underline that we do not interpret the selective quoting in the draft resolution as detracting from the comprehensive commitment by the States parties to the NPT to implement the conclusions of the Final Document in their entirety.

Mr. McGinnis (United States of America): As we did last year, the United States delegation voted against draft resolution A/C.1/57/L.42, primarily because of

the language it contains on the Comprehensive Nuclear-Test-Ban Treaty. We believe that the spirit of the draft resolution is something to which we can subscribe. At the same time, my delegation believes that nuclear disarmament will not be achievable absent stronger non-proliferation controls to preclude the transfer of weapons of mass destruction and related technologies.

The United States has made clear its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and its readiness to contribute to the implementation of the Final Document of the 2000 Review Conference of the Parties to the NPT. The United States' vote on this draft resolution today should in no way be seen as a repudiation of those parts that support these same principles.

Mr. Umer (Pakistan): Very briefly, we found several provisions of the draft resolution contained in document A/C.1/57/L.42, entitled "A path to the total elimination of nuclear weapons", somewhat questionable.

We feel that the draft resolution places inordinate emphasis on non-proliferation to the detriment of nuclear disarmament, where we see a certain regression. We also cannot endorse the premise of the seventh and eighth preambular paragraphs, and we also have some reservations on operative paragraph 1. As a non-party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), we construe that we are not under any obligation to implement operative paragraph 3, including several of its sub-paragraphs, nor are we bound by any of the provisions which emanate from the Review Conference of the Parties to the NPT or other forums in which Pakistan is not represented.

It was this understanding which enabled my delegation to abstain in the voting on, rather than vote against the draft resolution.

Ms. Kumar (India): My delegation has taken the floor to explain why we could not vote in favour of the draft resolution in document A/C.1/57/L.42.

It is well known that India has an unwavering commitment to nuclear disarmament and the goal of the complete elimination of nuclear weapons globally. However, the instrument purported to have been intended to achieve these objectives — the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) — does not seem to have been effective, as has been stated in this forum several times at this session already. India would reiterate that it is necessary to recognize this and, instead, to take a path beyond the framework of the NPT towards equal and legitimate security for all through global disarmament.

As we have explained in earlier instances as well, we find that the draft resolution is based on NPT philosophy, which makes it flawed as a vehicle for the stated objective. Further, it welcomes the Final Document of the 2000 Review Conference of the Parties to the NPT, which is not, in our view, a balanced document. The call in paragraph 3(b) for a moratorium on the production of fissile material indicates a lack of responsiveness to reality. The call in paragraph 1 for the universality of the NPT is unconvincing.

Therefore, while we agree with the basic objective of the draft resolution — the global elimination of nuclear weapons — India cannot support the draft resolution as a whole because of its many elements that are based on a flawed approach and therefore remain unacceptable. India therefore cast a negative vote on the draft resolution as a whole.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.43.

I call on the representative of Cuba to make an explanation of vote before the voting.

Ms. Mirta Granda (Cuba) (*spoke in Spanish*): This year, Cuba will vote once again in favour of the draft resolution entitled "Nuclear disarmament", contained in document A/C.1/57/L.43.

My delegation believes that it is a document of utmost importance. It appropriately reflects the highest priority of nuclear disarmament. The language of the draft resolution is clear and direct and we hope that it will be taken duly into consideration by the nuclear-weapon States. We fully support the appeal made in the draft resolution to the Conference on Disarmament to establish, on a priority basis, an ad hoc committee to deal with nuclear disarmament early in 2003 and to commence negotiations on nuclear disarmament leading to the eventual total elimination of nuclear weapons.

We hope that the draft resolution will be supported by the majority of member States.

The Chairman: A recorded vote has been requested on draft resolution A/C.1/57/L.43.

A separate vote will be taken on operative paragraph 10.

I call on the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): Draft resolution A/C.1/57/L.43, entitled "Nuclear disarmament", was submitted under agenda item 66 on general and complete disarmament.

The draft resolution was introduced by the representative of Myanmar at the Committee's 16th meeting on 18 October 2002. Sponsors of the draft resolution are listed in document A/C.1/57/L.43, as well as in document A/C.1/57/INF/2. In addition, the following countries have become sponsors of the draft resolution: El Salvador, Islamic Republic of Iran and Samoa.

The Committee will now proceed to take a separate vote on operative paragraph 10 of the draft resolution, which reads as follows:

> "*Also welcomes* the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the Review Conference, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI of the Treaty, and the reaffirmation by the States parties that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons, and calls for the full and effective implementation of the steps set out in the Final Document."

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe

Against:

India, Israel

Abstaining:

France, Georgia, Monaco, Pakistan, Russian Federation, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Operative paragraph 10 of draft resolution A/C.1/57/L.43 was retained by 139 votes to 2, with 8 abstentions.

The Chairman: I now give the floor once again to the Secretary of the Committee to conduct the voting on the draft resolution as a whole.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/57/L.43 as a whole.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Egypt,

El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Panama, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Swaziland, Syrian Arab Republic, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Dominica, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia

Abstaining:

Argentina, Azerbaijan, Belarus, Cyprus, Georgia, India, Ireland, Israel, Japan, Kazakhstan, Kyrgyzstan, Marshall Islands, Mauritius, Pakistan, Republic of Korea, Republic of Moldova, Russian Federation, Sweden, Ukraine

Draft resolution A/C.1/57/L.43 as a whole was adopted by 91 votes to 40, with 19 abstentions.

[Subsequently, the delegation of Malawi informed the Secretariat that it had intended to vote in favour.]

The Chairman: I shall now call on those representatives who wish to speak in explanation of vote on the draft resolution just adopted.

Ms. Inoguchi (Japan): I would like to explain Japan's abstention in the voting on draft resolution A/C.1/57/L.43, entitled "Nuclear disarmament", as a whole.

It is Japan's fervent wish that the use of nuclear weapons should not be repeated and that continuous efforts should be made towards achieving a safe world, free of nuclear weapons. In this context, Japan regards the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as the cornerstone of the nuclear non-proliferation regime and the foundation for the promotion of nuclear disarmament.

However, the Treaty is facing the reality that there are States that are parties to the NPT but do not comply with it fully, and there are States that operate unsafeguarded nuclear facilities, remaining outside the NPT. It is, therefore, an urgent priority in maintaining international peace and security to ensure full compliance by all States parties with this bedrock instrument, as well as to promote its universality.

As far as draft resolution A/C.1/57/L.43 is concerned, I would like to state the following: the draft resolution rightly refers to the NPT as a cornerstone of nuclear non-proliferation and nuclear disarmament. My delegation also appreciates that it welcomes the positive outcome of the 2000 NPT Review Conference. Japan firmly believes that the maintenance and strengthening of the NPT is essential in order to achieve a safe world, free of nuclear weapons. However, L.43 contains a reference to a specified time frame for nuclear disarmament. My delegation firmly believes that the steps for nuclear disarmament should be realistic and progressive, with the engagement of the nuclear-weapon States from the very beginning of the process. Therefore, my country takes a different approach from this draft resolution towards the shared goal of the total elimination of nuclear weapons.

Mr. Hu Xiaodi (China) (*spoke in Chinese*): The Chinese delegation voted in favour of draft resolution A/C.1/57/L.43. China supports the objectives and the main thrust of this draft resolution.

On the issue of nuclear disarmament, China shares many of the positions held by the majority of the Non-Aligned Movement countries: commitment to the total elimination of nuclear weapons, opposition to nuclear deterrence doctrines characterized by the first use of nuclear weapons or the strategy of pre-emptive nuclear strike, the call for an unconditional commitment by nuclear-weapon States never to be the first to use nuclear weapons and the early commencement of negotiations on an international legal instrument on no use or threat of use of nuclear

weapons against non-nuclear-weapon States or nuclear-weapon-free zones.

We note with appreciation that the current draft resolution is improved in some aspects compared to that of last year. It is necessary to know that, in the current international situation, some specific nuclear disarmament measures in this draft resolution are still premature.

Ms. Kumar (India): My delegation has taken the floor to explain why we had to abstain on this draft resolution.

India has a long-standing and unwavering commitment to nuclear disarmament and the global elimination of nuclear weapons. In fact, until the year 2000, we supported the draft resolution on nuclear disarmament. However, since last year the draft resolution has not only diluted a number of traditional, long-held Non-Aligned Movement and Group of 21 positions on nuclear disarmament, which India fully supports, but has also included elements of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), on which India's stand is well known.

Therefore, we are unable to support operative paragraphs 9 and 10 of the draft resolution, which refer to the Final Document of the 2000 NPT Review Conference, which is, in our view, not a balanced document, and we abstained in the voting on the draft resolution as a whole.

Mr. Umer (Pakistan): As we have said here on a number of occasions, we are committed completely — totally and unequivocally — to the achievement of complete and comprehensive nuclear disarmament. And, in pursuance of this commitment, the delegation of Pakistan had, in the past, supported the draft resolution on nuclear disarmament, which used to be introduced by Myanmar, together with other non-aligned countries. Even this draft resolution contains several positive features, particularly the call for the establishment, on a priority basis, of an ad hoc committee to promote nuclear disarmament. We look forward to that eventuality when the Conference on Disarmament convenes in Geneva early next year.

Unfortunately, however, the draft resolution contained in document A/C.1/57/L.43 contains provisions in the sixth preambular paragraph, in the final preambular paragraph and in operative paragraphs 6, 9 and 10 that are inconsistent with my delegation's position. We were therefore constrained to abstain from voting on draft resolution A/C.1/57/L.43.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/57/L.36. Does any delegation wish to explain its position before a decision is taken? I see none.

A recorded vote has been requested.

I call on the Secretary of the Committee to conduct the voting on the draft resolution.

Mr. Sattar (Secretary of the Committee): The Committee will now take a decision on draft resolution A/C.1/57/L.36, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction", which was introduced by the representative of Belgium at the Committee's 13th meeting, on 16 October 2002. The sponsors are listed in the draft resolution and in document A/C.1/57/INF/2. In addition, Albania, the Bahamas, Barbados, Benin, Botswana, Cape Verde, the Central African Republic, the Comoros, Djibouti, Equatorial Guinea, Guinea-Bissau, Mauritania, Mauritius, Qatar, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, Seychelles, Sudan, Suriname, Timor-Leste, Tuvalu and Vanuatu have become sponsors of the draft resolution.

In that connection, I should like to draw members' attention to the responsibility entrusted to the Secretary-General under draft resolution A/C.1/57/L.36 and to the note by the Secretary-General contained in document A/C.1/57/L.58.

The Committee will now take a decision on draft resolution A/C.1/57/L.36.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece,

Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zimbabwe

Against:

None

Abstaining:

Azerbaijan, China, Cuba, Egypt, India, Iran (Islamic Republic of), Israel, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Morocco, Myanmar, Pakistan, Republic of Korea, Russian Federation, Syrian Arab Republic, United States of America, Viet Nam

Draft resolution A/C.1/57/L.36 was adopted by 128 votes to none, with 20 abstentions.

[Subsequently, the delegation of Malawi informed the Secretariat that it had intended to vote in favour.]

The Chairman: I now call on those representatives who wish to explain their vote or position on the draft resolution just adopted.

Ms. Yeo Seow Peng (Singapore): Singapore's position on anti-personnel landmines has been clear and open. Singapore supports and will continue to support all initiatives against the indiscriminate use of anti-personnel landmines, especially when they are directed against innocent and defenceless civilians. Bearing that in mind, Singapore declared a two-year moratorium, in May 1996, on the export of anti-personnel landmines without self-neutralizing mechanisms. In February 1998, we extended the moratorium to include all manner of anti-personnel landmines — not only those without self-neutralizing mechanisms — and we extended the moratorium indefinitely. At the same time, like several other countries, Singapore believes that the legitimate security concerns and the right to self-defence of any State cannot be disregarded. A blanket ban on all types of anti-personnel landmines might, therefore, be counterproductive.

Singapore supports international efforts to resolve the humanitarian concerns over anti-personnel landmines. We will continue to work with members of the international community towards finding a durable and truly global solution.

Mr. Lew Kwang-chul (Republic of Korea): My delegation abstained from the vote on draft resolution A/C.1/57/L.36, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction", because it contains provisions that are inconsistent with our security needs. Nevertheless, the Republic of Korea supports the humanitarian objectives of the Ottawa Convention, which aims to eliminate the consequences of the indiscriminate use of anti-personnel landmines. As a member of the Mine Action Support Group, my Government has taken part in international initiatives to that end. Furthermore, the Republic of Korea is carrying out its due responsibilities on landmine issues, within the framework of amended Protocol II to the Convention on Certain Conventional Weapons. On another positive note, South and North Korea began mine-clearing operations in the demilitarized zone last month as part of work to reconnect cross-border rail and road links.

Mr. Han (Myanmar): I should like to explain my delegation's position on the draft resolution contained in document A/C.1/57/L.36, relating to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. Myanmar is not a signatory or a State party to the Ottawa Convention, nor did it participate in the Ottawa process. But we respect the decision of the countries that have signed and ratified the Ottawa Convention. In principle, Myanmar is in favour of banning the export, transfer and indiscriminate use of anti-personnel mines. At the same time, we believe that

every State has the right to self-defence. In fact, the right of self-defence is enshrined in Article 51 of the Charter of the United Nations. Therefore, it is essential that every State be able to exercise the right of self-defence when its security and its supreme interests are at stake.

We recognize that the indiscriminate use of anti-personnel mines is causing the deaths and injuries of innocent children, women and men around the world. The ready availability of landmines is the main reason behind such tragedies. We can go a long way towards preventing those tragedies by addressing the issues of illicit trafficking and indiscriminate use of landmines by non-State actors. In our opinion, a total ban on anti-personnel landmines is not yet a practical and effective measure in the prevailing circumstances. We believe that the Conference on Disarmament is the proper forum for dealing with the problem. For those reasons, my delegation has abstained in the vote on draft resolution A/C.1/57/L.36.

Mr. Margaryan (Armenia): My delegation has voted in favour of the draft resolution just adopted. Armenia welcomes the entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Landmines. Though Armenia has not yet acceded to the Convention, we fully support the Convention's objectives to reaffirm our readiness to take measures consistent with its provisions. However, Armenia's full participation in the Convention is contingent on a similar level of political commitment by other parties in the region to adhere to the Convention and to comply with its regime.

Mr. Pant (Nepal): My delegation has voted in favour of the draft resolution just adopted, in line with our long-held policy of extending unequivocal support for all initiatives leading to general and complete disarmament. It is our view that the issue of anti-personnel mines involves some delicate humanitarian concerns and legitimate self-defence needs of sovereign States, which calls for a balanced approach to the problem. In that context, my country wishes to submit that it may take some time before we can sign the Convention and become a party to it, owing to current domestic security concerns.

Mr. Shradi (Libyan Arab Jamahiriya) (*spoke in Arabic*): We wish to make a statement regarding our vote on draft resolution A/C.1/57/L.36, on the full implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.

Although the Convention undeniably seeks to achieve noble humanitarian objectives, we, nonetheless, believe that its provisions have shortcomings, particularly given that millions of mines that date back to the Second World War are buried in my country. We expected the Convention to be more comprehensive in its treatment of landmine issues, particularly regarding the responsibility of countries that have planted mines to provide assistance for their removal, as well as compensation to the individuals who have experienced mine-related injuries.

The Convention also emphasizes small and limited arms. My country is a third world country; it is large with long borders. We are not able to defend these borders against those that possess aircraft carriers and all kinds of advanced weapons. We all know that individuals step on those mines, not the other way around. Therefore, we believe that humanity must be more concerned with and focused on eliminating weapons of mass destruction such as ballistic missiles, which represent a serious threat to humanity as a whole, rather than small arms.

My delegation abstained in the vote for those reasons.

Mr. Assaf (Lebanon) (*spoke in Arabic*): Allow me to express my delegation's regret for having to abstain in the vote on the implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. I emphasize that we were forced to do so, because that was our only choice. In that regard, I apologize to the delegation of Belgium, which sponsored this resolution, and to the other sponsors, for the fact that my country could not be one of the countries that voted in favour of the draft resolution.

The reason for that is that one of the Middle Eastern countries — Israel — still publicly states its refusal to accede to the Convention. My country has suffered most from landmines, following the end of the Israeli occupation in 2000. Israel left behind more than 450,000 mines. This statistic was provided by the United Nations, based on information that it received from its peacekeeping force in southern Lebanon. It is clear that Lebanon will continue to suffer for decades before it succeeds in totally clearing those mines. Since

24 May 2000, when Israel withdrew, more than 15 Lebanese have died as a result of those mines and more than 100 Lebanese citizens have been wounded, some of whom were totally disabled.

Yesterday, the Israeli representative gave us the good news that his country has refrained from or has stopped producing landmines. We hope that that is true. However, we wish to ask him the following question: if Israel has stopped producing mines and when it withdrew from Lebanon, it left behind 450,000 mines, how many more mines would it have left behind if it continued to produce them?

In that context, we renew our appeal to Israel to accede to the Convention on the Prohibition of Anti-personnel Landmines to enable other countries to do the same and thus be able to give this Convention the universality it requires.

Ms. Mirta Granda (Cuba) (*spoke in Spanish*): My country has always attached due importance to the legitimate humanitarian concerns associated with the indiscriminate use of anti-personnel mines. Cuba firmly supports the prohibition of all indiscriminate use of anti-personnel mines. It opposes, among other things, the use of anti-personnel landmines in domestic or external conflicts, and it opposes the use of mines difficult to detect that can affect civilian populations. That is why we are a party to the Convention on Certain Conventional Weapons and are participating very actively in drafting its additional amended Protocol II on mines, booby traps and other weapons.

However, we believe that the ultimate objective of negotiations on anti-personnel mines has always been to guarantee the maximum protection for civilian populations, and not to limit the military capability of States to preserve their sovereignty and territorial integrity, in accordance with the legitimate right to self-defence recognized in the Charter.

The absence of recognition of legitimate security concerns in the draft resolution adopted is the main reason that Cuba abstained in the vote. For Cuba, which for more than 40 years has been subjected to the hostile and aggressive policy of the country with the greatest economic, political and military power in the world, we cannot afford the luxury of rejecting that type of weapon for the defence of its sovereignty and territorial integrity.

We will continue to fully support all efforts that maintain the necessary balance between humanitarian considerations and security concerns and that, at the same time, seek to reduce the terrible effects caused by the indiscriminate use of anti-personnel landmines against the civilian populations of many countries.

Ms. Kumar (India): My delegation takes the floor to explain why we abstained in the vote on this draft resolution. India remains committed to the objective of a non-discriminatory, universal and global ban on anti-personnel landmines through a phased process that addresses the legitimate defence requirements of States, while ameliorating the critical humanitarian crisis that has resulted from an indiscriminate transfer and use of landmines. We believe that the phased approach commends itself as a confidence-building process, enabling States, especially with long borders, to safeguard their legitimate security needs. The process of complete elimination of anti-personnel mines will be facilitated by addressing the legitimate defensive role of anti-personnel landmines for operational requirements under the defence doctrines of the countries concerned through the availability of appropriate, militarily effective and non-lethal alternative technologies that can perform cost effectively the legitimate defensive role of anti-personnel landmines.

India would support negotiations in the Conference on Disarmament for a ban on transfers of anti-personnel landmines on the basis of a mandate that reflects the interests of all delegations. India has been an active participant in the Convention on Certain Conventional Weapons process and has ratified all its Protocols, including amended Protocol II on landmines.

In view of all those considerations, India has abstained in the vote on this draft resolution.

Mr. Umer (Pakistan): This is to explain our abstention in the vote on the draft resolution just adopted dealing with the anti-personnel landmines and their destruction.

Our position on the question of anti-personnel landmines is determined by our legitimate security concerns. Given Pakistan's security imperatives, and the need to guard along borders not protected by any natural feature, the use of landmines forms a natural part of our self-defence strategy. As such, it is not possible for us to agree to the demands for the complete prohibition of anti-personnel landmines until such time that viable alternatives are available. We also believe that it is the irresponsible use of landmines that has caused so much destruction and misery. We remain committed to ensuring the high standards of responsibility in the use of these indefencive weapons.

Pakistan is a party to amended Protocol II of the Convention on Certain Conventional Weapons, which regulates the use of landmines in both internal and external conflicts to prevent civilians from falling victims to those mines. We are continuing to implement the Protocol with the greatest earnestness. It is also our conviction that a truly universal standard can and should be set within the framework of the United Nations and cooperating humanitarian and security requirements. It is for those reasons that we were obliged to abstain in the vote on this draft resolution.

Mr. Issa (Egypt) (*spoke in Arabic*): Our delegation wishes to explain its abstention in the vote on draft resolution A/C.1/57/L.36, relative to the implementation of the Convention of the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. The Egyptian delegation's abstention in the vote on the draft resolution stems from its conviction that the Convention has serious shortcomings. We pointed that out during the negotiations on the drafting of that Convention and when the General Assembly dealt with this resolution in previous years. The above-mentioned Convention does not deal with the legitimate right of countries to self-defence. It does not deal with the rights and the obligations of the countries parties to the Convention in a manner consistent with their commitments, nor does it deal with the principle of international cooperation and assistance provided to countries affected by landmines to clear those mines. Based on that, the Egyptian delegation has abstained.

The Chairman: I should like to inform members that, at its next meeting, the Committee will continue to take action on the draft resolutions listed in informal working paper No. 5, which has been distributed to the Committee.

I call on the representative of Pakistan.

Mr. Umer (Pakistan): I thank you, Mr. Chairman, for circulating informal working paper No. 5, which underscores your desire to ensure that we organize our work very efficiently and effectively. I am sure we are all very grateful to you.

Under cluster 9, the informal working paper lists draft resolution A/C.1/57/L.49/Rev.1, which it indicates is entitled "Terrorism and weapons of mass destruction". It is my understanding that the title of that draft resolution was changed after very extensive and fruitful consultations. I should be grateful if you could kindly indicate the correct title of the draft resolution, so that we may come prepared accordingly on Friday.

The Chairman: The Secretary of the Committee informs me that the representative of Pakistan is quite right. The correct title of the draft resolution is "Measures to prevent terrorists from acquiring weapons of mass destruction". The working paper will be corrected accordingly.

The draft resolutions listed in informal working paper No. 5 are as follows. Listed under cluster 1, nuclear weapons, are: A/C.1/57/L.2/Rev.1, "Reductions of non-strategic nuclear weapons"; A/C.1/57/L.3/Rev.1, "Towards a nuclear-weapon-free world: the need for a new agenda"; A/C.1/57/L.14, "Effects of the use of depleted uranium in armaments", A/C.1/57/L.24/Rev.1; "Establishment of a nuclear-weapon-free zone in Central Asia"; and A/C.1/57/L.27, "The risk of nuclear proliferation in the Middle East". Listed under cluster 4, conventional weapons, is A/C.1/57/L.18/Rev.1, "National legislation on transfer of arms, military equipment and dual use goods and technology". Listed under cluster 7, disarmament machinery, are A/C.1/57/L.11, "United Nations regional centres for peace and disarmament"; A/C.1/57/L.16, "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean"; and A/C.1/57/L.35, "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific". Listed under cluster 9, related matters of disarmament and international security, is A/C.1/57/L.49/Rev.1, "Measures to prevent terrorists from acquiring weapons of mass destruction". And , listed under cluster 10, international security, is A/C.1/57/L.10, "Promotion of multilateralism in the area of disarmament and non-proliferation".

Statement by the Chairman

The Chairman: I am informed that, approximately one hour ago, terrorists took nearly 1,000 people hostage in Moscow, Russian Federation, in one of the city's theatres. Gunshots were heard outside, and, according to Cable News Network, the terrorists were laying mines around the building's perimeter. I am sure that members will wish to join me in expressing hope for a speedy and peaceful end to the crisis.

The meeting rose at 5.10 p.m.